

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A24-04044

Date Received: 7/14/1989

Receipt No: E009952

Received By: TO

RECEIVED

AUG 3 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WYOMING GAME & FISH DEPARTMENT 307-777-7730
Address: 5400 BISHOP BLVD.
CHEYENNE, WY 82006

2. Date of Priority: APR 01, 1942

3. Source: TERRACE SPRINGS Trib. to: WEBSTER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	46E	32	SE	SE	SW		CARIBOU

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FISH PROPAGATION	01/01	12/31	2.000		
DOMESTIC	01/01	12/31	0.151		

7. Total Quantity Appropriated is:
2.151 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
H/FISH HATCHERY D/2 HOUSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	46E	32	SW	SE		FISH	
			SW	SE		DOMEST	

A24-04044

Page 1

Date: 07/14/89

A2404044



MICROFILMED

NOV 06 1992

Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
A24-02035/07037/10000/10001.

14. Remarks:

GRAVITY FLOW 10" DUCTILE IRON PIPELINE BEING 1,193 FEET IN LENGTH. A SMALL CONCRETE DAM IS AT THE SPRING SITE AND AN UNDERGROUND INFILTRATION SYSTEM HAS BEEN INSTALLED FOR THE INLET OF THE PIPELINE.
THIS HATCHERY IS OPERATED UNDER A FOREST SERVICE LEASE AGREEMENT. A COPY IS ATTACHED. PROCUREMENT OF WATER RIGHTS IS CONDITIONAL UPON LEASE AGREEMENT FOR THE OPERATION OF A FISH HATCHERY COMPLEX.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am Fish Division Chief of Wyoming Game & Fish Department, that I have signed the foregoing Organization

document in the space below as Fish Division Chief of Wyoming Game & Fish Department and that the statements contained in the foregoing document are true and correct. Organization

[Signature]
Signature of Authorized Agent

Fish Division Chief, Wyo. Game & Fish Dept
Title and Organization

August 1, 1989

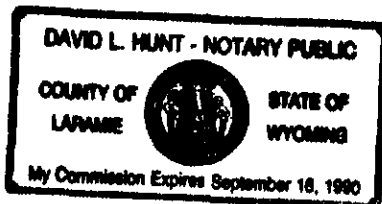
Date

State of ~~Idaho~~ Wyoming)
County of Laramie) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of August 19 89

David Hunt
Notary Public

Seal



Residing at 5400 Bishop Blvd
Cheyenne

My Commission Expires 9/16/90

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

24-4044

RECEIVED

JUL 10 1989

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Wyoming Game and Fish Department Phone (307) 777-7730Mailing Address 5400 Bishop Blvd., Cheyenne, Wyoming Zip 820062. Date of Priority (Only one (1) per claim) April 1, 19423. Source of water supply (a) Terrace Springswhich is tributary to (b) Webster Creek4. a. Location of existing point of diversion is: Township 7S Range 46 E Section 32,
SE 1/4 of SW 1/4 of 1/4, Govt. Lot, B.M., County of CaribouAdditional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , 1/4 of 1/4 of 1/4,Govt. Lot B.M., County of ending point is: Township Range Section , 1/4 of 1/4 of 1/4, Govt. Lot B.M., County of 5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Gravity flow 10" ductile iron pipeline being 1,193 feet in length. A
small concrete dam is at the Spring site and an underground infiltration
system has been installed for the inlet of the pipeline.

MICROFILMED

NOV 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Fish propagation purposes from Jan 1 to Dec 31 amount 2.0 or _____

For Domestic purposes from Jan 1 to Dec 31 amount 0.151 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.151 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Water is used to supply a Fish Hatchery Complex and domestic water for two Houses.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
75	46E	32											X				⌘		

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Caribou

12. Do you own the property listed above as place of use? Yes _____ No x

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

19209 for 2.249 cfs for Fish Hatchery uses - Terrace Springs or None ()

14. Remarks:

12. This hatchery is operated under a Forest Service Lease Agreement. A copy is attached. Procurement of water rights is conditional upon lease agreement for the operation of a fish hatchery complex.

13. 22-4198 for 4.0 cfs used for fish propagation - Webster Creek.

24-4045 for 1.0 cfs used for fish propagation - Webster Creek.

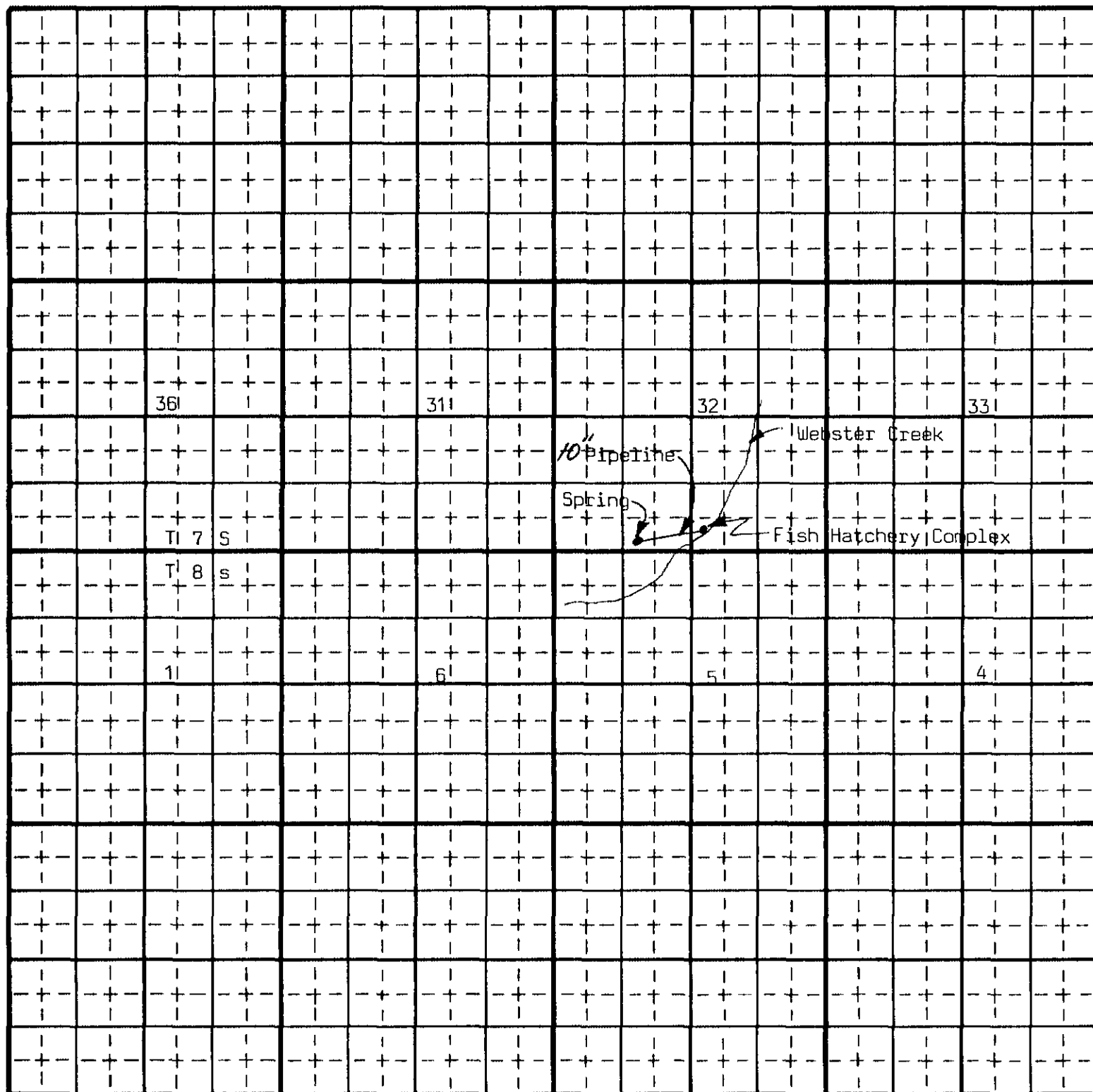
24-7037 for 0.02 cfs used for domestic - spring, tributary to Spring Creek.

Last Name _____ Ident No. _____

Copies: White NOV 06 1992 Yellow _____

Scale: 2 inches equals 1 mile

R 46 E



MACROFILMS

Copies: White-State, Yellow-Civilian, and **NOV 6 1992**

15. Basis of Claim (check one) Beneficial Use ☒ X Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____ Claim No. 24-4044
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Joe White, Chief of Fish Division
of _____ Wyoming Game and Fish Department _____, that I have signed the foregoing
Organization

document in the space below as _____ Chief, Div. of Fisheries _____ of _____ Wyoming Game and Fish Dept. _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Fish Division Chief, Wyoming Game and Fish _____ Date 30 June 89
Department

State of ~~Idaho~~ or Wyoming)
County of Laramie) SS.

Subscribed and sworn (or affirmed) before me this 5th day of July 19 89

SEAL

Notary Public _____

Residing at 2201 Manhattan Ln Cheyenne Wyo

My Commission Expires December 15, 1992

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

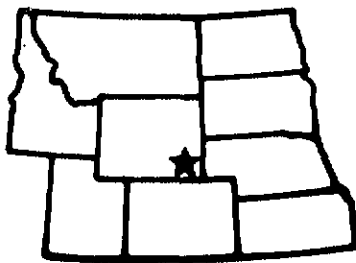
Date _____

Last Name _____ Ident. Number _____

MICROFILMED

NOV 06 1992

Copies White-State, Yellow-Claimant



STATES WEST WATER RESOURCES CORPORATION

Suite 204, Pioneer Center
2424 Pioneer Avenue
Cheyenne, Wyoming 82001
(307) 634-7848

P.O. Box 2092
Cheyenne, Wyoming 82003
FAX: (307) 634-7851

October 10, 1994

RECEIVED

OCT 14 1994

Department of Water Resources
Eastern District Office

Mr. Dave Carlson, Water Right Agent
Adjudications
State of Idaho
Department of Water Resources
900 N. Skyline Drive
Idaho Falls, Idaho 83402-1718

Re: Refer to Correspondence dated 09-14-94 - Ref. #A24-04044.

Dear Mr. Carlson:

In response to the above referenced correspondence the Wyoming Game and Fish Department has attached the necessary proof of priority and usage for the Auburn Fish Hatchery.

Specifically the items attached are: **1. Proof of Hatchery Construction - US Forest Service Special Use Permit and Amendments.**

The hatchery has been in use for the past 52 years, and being a hatchery, utilizes it's water rights on a year-round basis.

If required, we can also provide Affidavits as to the priority date of hatchery use, by private landowners within the area.

We sincerely hope that the attached documents satisfy your agency's requirements for the final adjudication of the hatchery facility.

If you should have any questions or require any further proof or information please contact me.

Sincerely,

Mr. Michael T. O'Grady, Vice President/Water Rights Agent Wyoming Game and Fish Department

cc: Mr. Bobby Edwards, Chief Engineer, WGFD
Mr. Wayne Fornstrom, Hatchery Supervisor

MICROFILMED

NOV 07 1994

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

SPECIAL USE APPLICATION

(Case Designation.)

Application is hereby made for permit to use the following described lands: Beginning at the quarter corner of Sections 5 and 32, Township 8 South Range 46 E, running south 5 chains, thence west 15 chains, thence north 10 chains, thence east 15 chains, thence south 5 chains to point of beginning, to enclose 15 acres. Beginning again at quarter corner of Sections 5 and 32, T 8 S, R 46 E, running north 20 chains, thence east 20 chains, thence south 20 chains, thence west 20 chains to point of beginning, to enclose 40 acres. A total of 55 acres.
for the purpose of Construction of a complete fish hatchery

(State fully the nature of the intended use.)

Construction of intended improvements will begin within two months and be completed within 24 months; the premises will be used at least 365 days each year; the contemplated improvements will cost approximately (\$25,000) Twenty-five thousand dollars and will consist of the following: Hatchery building, residence buildings and outbuildings, rearing ponds and power plant

WYOMING GAME AND FISH COMMISSION
State Fish Warden

James R. Simon

(Signature of applicant.)

July 7, 1941

(Date of application.)

Cheyenne, Wyoming

(Post-office address.)

(See reverse side for general conditions under which permits are granted.)

MICROFILMED

NOV 07 1950

Permits are usually granted subject to the following general conditions and such special conditions as may be found desirable:

1. That there will be compliance with the regulations of the Department of Agriculture governing the National Forest and with all sanitary laws and regulations applicable to the premises.

2. That the premises will be kept in a neat and orderly condition and all refuse disposed of and outhouses and cesspools located as directed by the forest officers.

3. That all reasonable precautions will be observed to prevent and suppress forest fires.

4. That if engaged in business the permittee will conduct same in an orderly manner and in accordance with State as well as Federal laws.

5. That the permit is granted subject to valid claims.

6. That no timber will be cut or destroyed except under permit obtained from the forest officers.

7. That an annual rental charge will be paid.

8. That when requested by forest officers, a way across the land, covered by permit, will be provided for the free ingress or egress of forest officers and the users of National Forest and purchasers of National Forest products.

1-3430

MICROFILMED

NOV 0 / 1950



SPECIAL USE PERMIT

U-Uses,
Caribou
Wyoming Game & Fish Commission
Fish Hatchery
(Case designation)

July 9, 1941.

Permission is hereby granted to Wyoming Game and Fish Commission
of Cheyenne, Wyoming, c/o James R. Simon, State Fish Warden
to use the following-described lands: Beginning at the quarter corner of Sections 5 and 32,
(Describe the lands to be occupied, if unsurveyed, by metes and bounds, with reference to a road or
Tp. 8 S., R. 46 E., running South 5 chains, thence west 15 chains, thence north
stream or well-known landmark; right of way by terminal points, direction, and lands occupied)
10 chains, thence east 15 chains, thence south 5 chains to point of beginning,
to enclose 15 acres. Beginning again at quarter corner of Sections 5 and 32,
Tp. 8 S., R. 46 E., running north 20 chains, thence east 20 chains, thence south
20 chains, thence west 20 chains to point of beginning to enclose 40 acres.
a total of 55 acres.)

for the purpose of Construction of a complete fish hatchery, including residence
(Briefly but clearly describe the use, giving area of inclosures, length and width of right of way, etc.)
buildings and outbuildings, rearing ponds and power plant.

subject to the following conditions:

1. The permittee shall pay to the Regional Fiscal Agent designated by the Forest officer for
deposit to the credit of the Treasurer of the United States, in consideration for this use, the sum of
NO CHARGE FOR THIS PERMIT dollars (\$) for the period
from , 19 , to December 31, 19 , and thereafter annually,
on January 1, No charge dollars (\$).

2. The permittee shall comply with the regulations of the Department of Agriculture governing
the National Forest, shall observe all sanitary laws and regulations applicable to the premises, and
shall keep the premises in a neat and orderly condition and dispose of all refuse and locate outhouses
and cesspools as required by the Forest officers.

3. This permit is subject to all valid claims.

4. The permittee shall take all reasonable precaution to prevent and suppress forest fires.

REPROFILMED

NOV 07 1930

5. The permittee, if engaged in business, shall conduct same in an orderly manner and in accordance with all requirements of the laws of the State of Idaho, as well as the laws of the United States.

6. The permittee shall pay the United States for any damage to its property resulting from this use.

7. The permittee shall fully repair all damage, other than ordinary wear and tear, to roads and trails in the National Forests caused by the permittee in the exercise of the privilege granted by this permit.

8. Construction work (or occupancy and use) under this permit shall begin within two months, be completed within 1 years from the date of the permit, and this use shall be actually exercised at least 365 days each year, unless the time is extended or shortened.

9. In case of change of address, permittee shall immediately notify the Forest Supervisor.

10. The charges for this use may be readjusted whenever necessary to place this permit on a basis consistent with the charge to other permittees for like privileges. A general readjustment will be made at the end of five years from the date of issuance of permit and at the end of each five-year period thereafter.

11. No National Forest timber may be cut or destroyed without first obtaining a permit from the Forest Supervisor.

12. Upon the abandonment, termination, or revocation of this permit, and in the absence of an agreement to the contrary, the permittee, if all the rental charges due the Government have been paid, may, within a reasonable period to be determined by the issuing officer, remove all structures which have been placed on the premises by him, except where the material was furnished by the Forest Service, but upon failure to remove the structures within that period they shall become the property of the United States.

13. This permit may be transferred with the approval of the officer by whom it was given or his successor, subject to such conditions as may be imposed at the time of transfer. It shall terminate upon breach of any of the conditions herein or at the discretion of the Regional Forester or the Forester.

14. The permittee shall provide, whenever requested by the Forest officers, a way across the land covered by this permit for the free ingress or egress of Forest officers and for users of National Forest land and purchasers of National Forest products.

15. The plan for each building will be subject to approval by the Forest
(Special stipulations necessary)
Supervisor and the location of each building and other improvements will be
approved on the ground by a Forest Officer with a representative of the permittee.

July 9, 1941.
(Date)

J. M. Warner
(Signature of officer issuing permit)

Forest Supervisor.
(Title)

Western Wyoming
Fish Hatchery

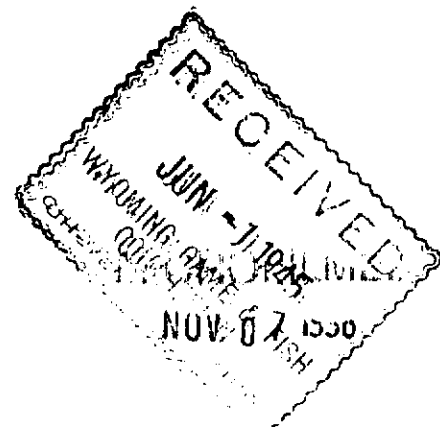
SPECIAL USE PERMITTEE

The special use permit issued you on 7/9/41 for a
fish hatchery is hereby amended to include the
following clause:

"No Member of or Delegate to Congress shall be admitted to
any share or part of this agreement or to any benefit that
may arise herefrom unless it is made with a corporation
for its general benefit.

I. M. VARNER
Forest Supervisor

Note: The above is in line with legislation passed by Congress
governing the use of National Forest land.



SPEC USE PERMIT

Act of June 4, 1897, or February 15, 1901
This permit is revocable and nontransferable

Fish Hatchery

DATE OF PERMIT

July 9, 1941

REGION

STATE

FOREST

RANGER DISTRICT

D-3

Permission is hereby granted to Wyoming Game and Fish Commission
of Cheyenne, Wyoming, c/o James R. Simon, State Fish Warden,
hereinafter called the permittee, to use subject to the conditions set out below, the following described
lands or improvements:

Beginning at the quarter corner of Sections 5 and 32, Tp. 8S., R. 46E., running
South 5 chains, thence west 15 chains, thence north 10 chains, thence east
15 chains, thence south 5 chains to point of beginning, to enclose 15 acres.
Beginning again a quarter corner of Sections 5 and 32, Tp. 8 S., R 46E., running
north 20 chains, thence east 20 chains, thence south 20 chains, thence west
20 chains to point of beginning to enclose 40 acres.

This permit covers 55 acres and/or _____ miles and is issued for the purpose of:

Construction of a complete fish hatchery, including residence buildings and
outbuildings, rearing ponds and power plant.

The exercise of any of the privileges granted hereby constitutes acceptance of all the conditions of
this permit.

1. In consideration for this use, the permittee shall pay to the Forest Service, U.S. Department of
Agriculture, the sum of NO CHARGE FOR THIS PERMIT Dollars (\$ _____) for the period
from _____ 19____, to _____, 19____, and thereafter
annually on _____ NO CHARGE.

_____ Dollars (\$ _____):
Provided, however, Charges for this use may be made or readjusted whenever necessary to place the
charges on a basis commensurate with the value of use authorized by this permit.

MICROFILMED
NOV 06 1992

2. Construction or occupancy and use under this permit shall begin within TWO months, and construction, if any, shall be completed within 12 months from the date of the permit. This use shall be actually exercised at least 365 days each year, unless otherwise authorized in writing.

3. Development plans; layout plans; construction, reconstruction, or alteration of improvements; or revision of layout or construction plans for this area must be approved in advance and in writing by the forest supervisor. Trees or shrubbery on the permitted area may be removed or destroyed only after the forest officer in charge has approved, and has marked or otherwise designated that which may be removed or destroyed. Timber cut or destroyed will be paid for by the permittee as follows: Merchantable timber at appraised value; young-growth timber below merchantable size at current damage appraisal value; provided that the Forest Service reserves the right to dispose of the merchantable timber to others than the permittee at no stumpage cost to the permittee. Trees, shrubs, and other plants may be planted in such manner and in such places about the premises as may be approved by the forest officer in charge.

4. The permittee shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the forest officer in charge.

5. This permit is subject to all valid claims.

6. The permittee, in exercising the privileges granted by this permit, shall comply with the regulations of the Department of Agriculture and all Federal, State, county, and municipal laws, ordinances, or regulations which are applicable to the area or operations covered by this permit.

7. The permittee shall take all reasonable precautions to prevent and suppress forest fires. No material shall be disposed of by burning in open fires during the closed season established by law or regulation without a written permit from the forest officer in charge or his authorized agent.

8. The permittee shall exercise diligence in protecting from damage the land and property of the United States covered by and used in connection with this permit, and shall pay the United States for any damage resulting from negligence or from the violation of the terms of this permit or of any law or regulation applicable to the national forests by the permittee, or by any agents or employees of the permittee acting within the scope of their agency or employment.

9. The permittee shall fully repair all damage, other than ordinary wear and tear, to national forest roads and trails caused by the permittee in the exercise of the privilege granted by this permit.

10. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise herefrom unless it is made with a corporation for its general benefit.

11. Upon abandonment, termination, revocation, or cancellation of this permit, the permittee shall remove within a reasonable time all structures and improvements except those owned by the United States, and shall restore the site, unless otherwise agreed upon in writing or in this permit. If the permittee fails to remove all such structures or improvements within a reasonable period, they shall become the property of the United States, but that will not relieve the permittee of liability for the cost of their removal and restoration of the site.

12. This permit is not transferable. If the permittee through voluntary sale or transfer, or through enforcement of contract, foreclosure, tax sale, or other valid legal proceeding shall cease to be the owner of the physical improvements other than those owned by the United States situated on the land described in this permit and is unable to furnish adequate proof of ability to redeem or otherwise reestablish title to said improvements, this permit shall be subject to cancellation. But if the person to whom title to said improvements shall have been transferred in either manner above provided is qualified as a permittee and is willing that his future occupancy of the premises shall be subject to such new conditions and stipulations as existing or prospective circumstances may warrant, his continued occupancy of the premises may be authorized by permit to him if, in the opinion of the issuing officer or his successor, issuance of a permit is desirable and in the public interest.

13. In case of change of address, the permittee shall immediately notify the forest supervisor.

14. The temporary use and occupancy of the premises and improvements herein described may be sublet by the permittee to third parties only with the prior written approval of the forest supervisor but the permittee shall continue to be responsible for compliance with all conditions of this permit by persons to whom such premises may be sublet.

15. This permit may be terminated upon breach of any of the conditions herein or at the discretion of the regional forester or the Chief, Forest Service.

16. In the event of any conflict between any of the preceding printed clauses or any provision thereof and any of the following clauses or any provisions thereof, the preceding printed clauses will control.

17. This permit is accepted subject to the conditions set forth above and to conditions _____ to _____ attached hereto and made a part of this permit.

DATE	SIGNATURE OF ISSUING OFFICER	TITLE
July 9, 1941	J. M. Warner	Forest Supervisor

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
CARIBOU NATIONAL FOREST



ADDRESS REPLY TO
FOREST SUPERVISOR
AND REFER TO

POCATELLO, IDAHO

U
USES - Caribou
Fish Hatchery
State of Wyoming

January 31, 1946

State of Wyoming
Game and Fish Commission
Cheyenne, Wyoming

Gentlemen:

Mr. Bagley's letter of January 8 is received.

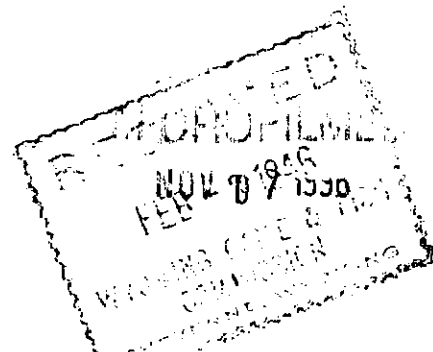
We have considered your application for enlargement of the fish hatchery on Spring Creek and inasmuch as the proposed addition is to be merely a part of the present hatchery, we believe it is unnecessary to issue a separate special use permit as the same results can be secured by simply amending the one now in existence. This letter should therefore be considered a part of the permit issued you dated July 9, 1941 and amends the description of the occupied lands to include a strip 5 rods wide commencing 4 rods above the point where Spring Creek leaves the Caribou National Forest in Section 32, T. 7 S., R. 46 E., Boise Meridian and continuing up Spring Creek 80 rods enclosing 20 acres. This additional land is to be fenced and occupied for the purpose of constructing fish rearing ponds.

The special use permit is not otherwise amended.

Very truly yours,

I. L. WILDER, Forest Supervisor

By *J. H. Johnson* Acting



U.S. DEPARTMENT OF AGRICULTURE Forest Service AMENDMENT FOR SPECIAL-USE PERMIT	Holder No. 1010-01	Type Site 216	Authority 20	
	Issue Date -- / -- / --	Expir. Date 1 2/3 1/0 3	Region 04	
	Forest 05	District 02	State 16	County 029

AMENDMENT NUMBER 3

This Amendment is attached to and made a part of the Annual special-use permit for Fish Hatchery issued to Wyoming Game & Fish Dept. on July 9, 1941 which is hereby amended as follows:

To construct a new dwelling which will replace old dwelling as shown on the attached map plus a new parking lot as shown on the approved plans.

This Amendment is accepted subject to the conditions set forth herein, and to conditions n/a to n/a attached hereto and made a part of this Amendment.

NOV 0 / 1990

Holder: Francis PetersAuthorized Officer: David BullHolder: Billy J. EdwardsTitle: Acting Forest SupervisorDate: 3/31/93Date: 4/13/93

11/11/92 3/1/42

ADDENDUM TO SPECIAL USE PERMIT
CARIBOU NATIONAL FOREST
AUBURN FISH HATCHERY
NEEDS ANALYSIS 1992-2042

The Auburn Fish Hatchery currently operates under a special use permit from the Caribou National Forest. The facilities are located on Webster Creek; the legal description is Section 32, Township 7 South, Range 46 East in Caribou County Idaho. The purpose of the special use permit is for the State of Wyoming to operate a fish culture facility which it has done since receiving the original permit in 1941. Buildings on site consist of 3 residences, a hatchery building, a brood house located at the upper end of a brood pond, a domestic water filtration house, a combination garage and barracks/storage building, and 2 small storage buildings. Fish cultural facilities consist of the hatchery with small and large fish tanks, 6 circular raceways, 2 dirt ponds, and a brood pond. In addition there are 2 small and 1 large effluent settling ponds which are located on the site.

Fish production at the facility is limited to lake, brown, Snake River cutthroat trout, and kokanee primarily. Due to the location (the headwaters of the Salt and Snake River Drainages) and the fact that we use the station to maintain a disease-free broodstock of Snake River cutthroat we do not raise any rainbow trout or rainbow related trout at the facility. Annual production is approximately 40,000 pounds with egg production from the broodstock of approximately 8 million eggs. This facility is the only Wyoming State Fish Hatchery located within the Snake River Drainage and is extremely important to not only this but all other drainages in the state because of the broodstock.

1992-2042 plans for the Auburn Fish Hatchery

1. Fish production will most likely remain at app. 40,000 pounds due to the limitations of the amount of available water.
2. Replace the southern-most house in 1992 with a newer Game and Fish house to be moved from another location (see photo).
3. Build a storage building on site to house trucks, tractors and fish cultural equipment in FY-94 (see photo).
4. Construct a parking area for hunters and fishermen on the northern portion of the property in FY-93 to accommodate ever increasing public use. NOV 07 1990
5. Revamp the domestic water system in the hatchery and the residences to meet health standards; investigate individual water treatment systems or drilling new well(s). Refurbish the collection system for the springs that service the northern-most residence.
6. Obtain water rights and build a spring collection facility and pipe line to utilize Chicken Creek.

7. Survey and relocate the road to the brood ponds and spawning shed. Based on preliminary survey, bank stabilization and backfill will be needed.

8. As the need arises update the effluent settling facilities. current ponds are adequate but may require modifications, replacement, or improvements if regulations become more stringent.

9. Convert or replace the garage and barracks with a new garage and storage building capable of storing modern sized vehicles.

10. Implement some form of restricted visitation to the actual spring and spring collection site. The spring is not only used for fish culture but domestic water as well, and during recent years there have been increased incidents of people throwing materials in the spring, swimming in it, swimming their pets in it, etc. While the site is quite unique it will not remain so very long without some protection.

11. Vandalism of public facilities, "poaching of fish from ponds", visitation at odd hours, spilling of fish feed and unauthorized feeding of the fish have continued to become worse with the increased use by the public. In order to continue to serve and educate the public it will become necessary to build or incorporate a visitor education plan and center into the facility and limit facility visitation to normal working hours of 8 to 5 daily. In order to manage or control visitation some form of security gate and fence may be needed to discourage after hours "wanderings".

12. As a fish cultural facility it would be beneficial to install and collect the springs at their source and convert the water system to an enclosed system. Benefits would solve security, fish health, and water quality problems as they currently exist. However, the spring is viewed as an important natural area by many local residents. All parties should work towards a mutual agreement to address the current situation to meet the concerns of everyone.

13. Items 1-12 will tentatively be addressed in the next 20 years. Over a time frame of 20-50 years in the future, replacement of the main hatchery building, replacement of the hatchery superintendent's residence, replacement or major repair of all outside raceways, and replacement of the water collection system and pipelines can be anticipated.

NOV 07 1996

As with any facility which is 50 plus years old there will be unscheduled and unforeseen repairs which will need to be addressed in the next 20 years. Actual land required for this special use permit should be determined and submitted to the USFS prior to final action on the request for renewal of the existing permit.



United States
Department of
Agriculture

Forest
Service

Caribou
National
Forest

Cent Desk
250 South 4th Avenue
Pocatello, ID 83201

Reply to: 2720

Date: November 17, 1992

Steve Facciani
Chief of Fisheries
Wyoming Game and Fish
5400 Bishop Blvd
Cheyenne, WY 82006

*Dave
- add to
perm file
Det*

Dear Steve:

I apologize for taking so long to respond to your letter of April 16, 1992 regarding fees for your Auburn Fish Hatchery special use permit.

I have consulted with our Regional Office in Ogden about your response. Based on 36 CFR 251.57(b)(1), it is my decision to grant a full fee waiver for this permit. This decision will be reviewed in five years or when a new permit is issued, whichever is sooner.

My reasons for waiving the fee are as follows:

1. The holder of the permit is an agency of the state government of Wyoming.
2. State of Wyoming fishing license fees are not customer charges but are regulatory fees that allow purchasers the privilege of fishing on the State of Wyoming controlled streams and lakes.
3. The hatchery does not generate income.
4. The State of Wyoming does not charge the Federal Government for a similar use.

If you have any questions, please contact Dave Bull at 208-236-7500.

Sincerely,

for *Harold W Klein*
PAUL R. NORDWALL
Forest Supervisor

cc:
F. Elder, RO-R&L
Soda Springs RD

RECORDED
NOV 17 1992



Caring for the Land and Serving People